Fax: 8132278500

Oct 5 2004 11:49

P. 04

RECEIVED CENTRAL FAX CENTER

OCT 05

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):

Simonson, Rush E.

SERIAL NUMBER:

10/696,727

FILING DATE:

10/28/2003

FOR:

Improved Vertebral Implants Adapted for Posterior

Insertion

ATTORNEY DOCKET NO.:

080083.00004

U.S. Patent and Trademark Office 220 20th Street South Customer Window, Mail Stop Amendment Crystal Plaza Two, Lobby, Room 1B03 Arlington, VA 22202

## PRELIMINARY AMENDMENT

Applicant is submitting this preliminary amendment to add additional claims to the application prior to first examination.

## In the Claims:

11. (new) A surgical method for replacing damaged fibrocartilage between facing superior and inferior vertebrae in the lumbar region of a patient's spine, the patient having a posterior region, the superior vertebrae including an outer surface, a spinous process and an inferior articular process, the inferior vertebrae including an outer surface, a superior articular process and pedicals, the method being carried